

REMARKS/ARGUMENTS

The Applicant has carefully considered this application in connection with the Examiner's Action and respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicant originally submitted Claims 1-20 in the application. In previous responses, the Applicant amended Claims 1 and 11, canceled Claims 4 and 14 without prejudice or disclaimer, and added new Claims 21 and 22. In an Election Restriction, the Applicants Elected Claims 1- 3, 5-9 and 21 with traverse. Presently, the Applicant has amended Claim 1, but otherwise has not amended, canceled or added any claims. Accordingly, Claims 1-3, 5-9 and 21 are currently pending in the application.

I. Rejection of Claims 1-3 and 5-9 under 35 U.S.C. §112, first paragraph

The Examiner has rejected Claims 1-3 and 5-9 under 35 U.S.C. §, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. . While the Applicants strongly disagree with the Examiner that independent Claim 1 has issues as a result of using the term “mask”, to facilitate resolution of this issue the Applicant has amended independent Claim 1. Accordingly, the Applicants respectfully

request the Examiner to withdraw the §112, first paragraph rejection of Claims 1-3 and 5-9 and allow issuance thereof.

II. Rejection of Claims 1-3 and 5-9 under 35 U.S.C. §103

The Examiner has rejected Claims 1-3 and 5-9 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,841,166 to D'Anna *et al.* ("D'Anna"). Independent Claim 1 currently includes the element of forming a lightly-doped source/drain region between first and second isolation structures and with only a first dopant and without the use of a mask layer between the first and second isolation structures. D'Anna fails to teach or suggest this element.

D'Anna is directed to a lateral DMOS transistor for RF/microwave applications. (Title). D'Anna teaches that an N-drift region **46** is formed within a P-epi layer **42** and proximate a previously formed P+*sinker* **44**. The N-drift region **46** inevitably must use one or more masks during its formation such that it does not counter dope the P+*sinker* **44**. D'Anna then teaches that an active area mask is formed to define where the field oxides **52** will be present, and that the field oxides **52** are then grown to a thickness of 0.5 to 3 microns. (See, D'Anna at column 2, lines 55-65). Accordingly, D'Anna teaches first forming its N-drift region **46** using one or more masks, and then forming its field oxides **52**, whereas Claims 1 and 11 currently require first forming first and second isolation structures and then forming a lightly-doped source/drain region between the first and second isolation structures without the use of a mask. Thus, D'Anna fails to teach or suggest the element of forming a lightly-doped source/drain region between first and second isolation structures

and with only a first dopant and without the use of a mask layer between the first and second isolation structures.

Therefore, D'Anna fails to teach or suggest the invention recited in independent Claim 1 and its dependent claims, when considered as a whole. D'Anna must therefore fail to establish a *prima facie* case of obviousness with respect to these Claims. It is therefore respectfully submitted that claims 1-3 and 5-9 are therefore not obvious in view of D'Anna.

In view of the foregoing remarks, the cited reference does not support the Examiner's rejection of Claims 1-3 and 5-9 under 35 U.S.C. §103(a). The Applicant therefore respectfully requests the Examiner withdraw the rejection of Claims 1-20.

III. Rejection of Claims 1-3 and 21 under 35 U.S.C. §103

The Examiner has rejected Claims 1-3 and 21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,918,026 to Kosiak *et al.* ("Kosiak"). As indicated above, independent Claim 1 currently includes the element of forming a lightly-doped source/drain region between first and second isolation structures and with only a first dopant and without the use of a mask layer between the first and second isolation structures. Kosiak fails to teach or suggest this element.

Kosiak is directed to a process for forming a vertical bipolar transistor and high voltage CMOS in a single integrated circuit chip. (Title). Kosiak teaches that lightly doped n-type wells **114**, **214**, and **314** are formed within a substrate **12**. (See, Kosiak at column 4, lines 39-45, and the associated FIG. 2B). Kosiak, by the nature of its manufacturing process, requires that one or more

masks **20a**, **20b** are required to form its lightly doped n-type wells **114**, **214**, and **314**. Kosiak then teaches that many other processing steps are performed before forming field oxide regions **50**, **120**, **220**, **320**, and **322** to isolate various different features of the monocrystalline silicon chip **10**. (See, Kosiak at column 5, lines 40-55, and the associated FIG. 2E). Accordingly, Kosiak teaches first forming its lightly doped n-type wells **114**, **214**, and **314** using one or more masks **20a**, **20b**, and then forming its field oxide regions **50**, **120**, **220**, **320**, and **322**. This is in direct contrast to that presently claimed within independent Claims 1 and 11, which require forming a lightly-doped source/drain region between first and second isolation structures and with only a first dopant and without the use of a mask layer between the first and second isolation structures. Thus, Kosiak fails to disclose this claimed element.

Therefore, Kosiak fails to teach or suggest the invention recited in independent Claim 1 and its dependent claims, when considered as a whole. Kosiak must therefore fail to establish a *prima facie* case of obviousness with respect to these Claims. It is therefore respectfully submitted that claims 1-3 and 21 are therefore not obvious in view of Kosiak.

In view of the foregoing remarks, the cited reference does not support the Examiner's rejection of Claims 1-3 and 21 under 35 U.S.C. §103(a). The Applicant therefore respectfully requests the Examiner withdraw the rejection of Claims 1-3 and 21.

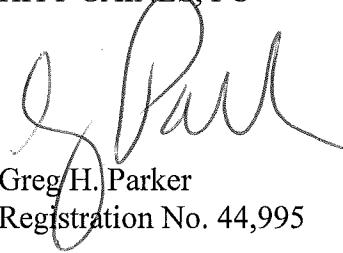
IV. Conclusion

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-3, 5-9 and 21.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC



Greg H. Parker
Registration No. 44,995

Dated: August 31, 2009

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800